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July 28, 2016

VIA ECF

The Honorable Paul A. Crotty
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

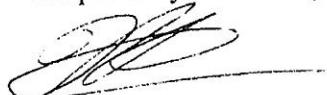
Re: Donoghue v. Zivo BioScience, Inc., et al. 15 Civil 5618 (PAC)

Dear Judge Crotty:

This firm is local counsel for Defendant HEP Investments LLC ("HEP") with regard to the above matter.

On February 18, 2016, the Court granted HEP's motion to admit Brian Witus, of the law firm of Jaffe, Raitt, Heuer & Weiss, P.C., *pro hac vice* as co-lead counsel for HEP (Dckt # 17). Mr. Witus has since left the firm. As such, it is respectfully requested that Mr. Witus be removed as counsel for HEP in this matter. Mr. Kowalsky (also admitted *pro hac vice*) will continue as lead counsel for HEP.

Respectfully submitted,



Michael H. Gibson

cc: David Lopez, Esq. (via ECF)
Miriam Tauber, Esq. (via ECF)
Mark Kowalsky, Esq. (via email – mkowalsky@gmail.com)